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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,266	09/30/2003	Kenneth Joseph Burger	ROC920030304US1	6175

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EXAMINER
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BELL, CORY C

ART UNIT	PAPER NUMBER
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2164

DATE MAILED: 04/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/675,266	<b>Applicant(s)</b> BURGER ET AL.	
	<b>Examiner</b> Cory C. Bell	<b>Art Unit</b> 2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

  
**SAM RIMELL**  
**PRIMARY EXAMINER**

**DETAILED ACTION**

1. Claims 1-20 have been examined.

***Claim Rejections - 35 USC § 101***

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

**Claims 11- 20** are rejected as they are directed towards non-statutory subject matter, as they pertain to software *per se*. These claims fail to produce a useful, concrete, and tangible result, as they are a set of instructions that may be executed. The signal-bearing medium of claims 11-15 is also not tangible.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-2, 4-8, 11-12, and 14 rejected under 35 U.S.C. 102(e) as being anticipated by US 2002/0013789, known hereafter as Machalek.

5. **Claim 1** is rejected for the following reasons:

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1. A method comprising: selecting a subset of a plurality of characteristics from a plurality of records based on a model norm; and preparing a report with the subset (*Machalek, Figure 7 Paras 38 and 30 the template that is created using the interface in figure 7 being the "model norm"*).

6. **Claim 2** is rejected for the following reasons:

2. The method of claim 1, further comprising: ordering the subset of the plurality of characteristics in the report based on a relative significance in the model norm(*Machalek, Figure 8 based on the relative significance of the order in which the characteristics are listed is the order in which they are displayed*).

7. **Claim 4** is rejected for the following reasons:

4. The method of claim 1, wherein the preparing the report further comprises: preparing extra characteristics not in the subset in a least-significant column of the report as a sequence of name-value pairs(*Machalek Para 43, the ability to drill into individual records, retrieving the record*).

8. **Claim 5** is rejected for the following reasons:

5. The method of claim 4, wherein the preparing extra characteristics further comprises: ordering the name-value pairs based on a relative significance in a favored norm(*Machalek Figures 14 and 15 and Para 43 the layout is based on the inherent SQL query ordering the gets the data* ).

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9. **Claim 6** is rejected for the following reasons:

See Claims 1 and 2 rejections.

10. **Claim 7** is rejected for the following reasons:

See Claim 4 rejection

11. **Claim 8** is rejected for the following reasons:

See Claim 5 rejection

12. **Claim 11** is rejected for the following reasons:

See Claims 1 and 4 rejections.

13. **Claim 12** is rejected for the following reasons:

See Claim 2 rejection.

14. **Claim 14** is rejected for the following reasons:

See Claim 5 rejection.

***Claim Rejections - 35 USC § 103***

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claims 3, 10, 13, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Machalek in view of Controlling Data Display with ORDER BY, known hereafter as Ashenfelter.

17. **Claims 3, 10, and 13** are rejected for the following reasons:

Machalek teaches selecting a first subset of a plurality of characteristics from a plurality of records received from a plurality of information suppliers wherein the selecting the first subset is based on a model norm, preparing a first report with the first subset, (*See Claim 1 rejection*), and wherein the instructions when executed on the processor comprise:, ordering the first subset of the plurality of characteristics in the first report based on a relative significance in the model norm(*See Claim 2 rejection*), However it fails to expressly disclose the act of the model norm including a sort rule; however it is noted that the model norm contains an SQL Query, as can be seen in Figure 8 of Machalek. Ashenfelter teaches the SQL ORDER BY command, which can be part of an SQL Select statement, like the one shown in figure 8 of Machalek. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the optional ORDER BY parameter in the SQL statement of Figure 8, as providing ordered structure make data easier to processes, understand, and interpret.

18. **Claim 15** is rejected for the following reasons:

Macheleck teaches elements of the claims upon which claims 15 and 19 are dependant, but fails to teach that when retrieving the information that it is sorted, Macheleck inherently uses and

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SQL query similar to the one shown in Figure 8 to retrieve all of the data for the records, as discussed in Para 43 . Ashenfelter teaches the SQL ORDER BY command, which can be part of an SQL Select statement, like the one shown in figure 8 of Machalek. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the optional ORDER BY parameter in the SQL statement of to retrieve all the data pertaining to the record, as providing ordered structure make data easier to processes, understand, and interpret.

19. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Machalek in view of US 5603025, known hereafter as Tabb.

20. **Claim 9** is rejected for the following reasons:

Machalek teaches the claims upon which claim 9 is dependent, as well as the ability for users to be able to drill down into more data, see Machalek Para 43, but did not expressly disclose there being an indicator that there is more information on the record. However, his is taught in Col 20 lines 28-47 of Tabb. Thus, it would have been obvious to one of ordinary skill in art

9. The apparatus of claim 6, wherein the means for preparing further comprises: means for preparing an indicator of whether extra characteristics not in the subset are available.

Claims 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Machalek in view of Controlling Data Display with ORDER BY, known hereafter as Ashenfelter in further view of US 2001/0053986, known hereafter as Dick.

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21. **Claim 16** is rejected for the following reasons:

Machalek teaches selecting a first subset of a plurality of characteristics from a plurality of records, wherein the selecting the first subset is based on a model norm, preparing a first report with the first subset, (*See Claim 1 rejection*), and wherein the instructions when executed on the processor comprise: ordering the first subset of the plurality of characteristics in the first report based on a relative significance in the model norm(*See Claim 2 rejection*), However it fails to expressly disclose the act of the model norm including a sort rule and multiple information sources; however it is noted that the model norm contains an SQL Query, as can be seen in Figure 8 of Machalek. Ashenfelter teaches the SQL ORDER BY command, which can be part of an SQL Select statement, like the one shown in figure 8 of Machalek. Dick teaches the use of multiple information sources in Para 35. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the optional ORDER BY parameter in the SQL statement of Figure 8, as providing ordered structure make data easier to processes, understand, and interpret and to use multiple data sources as it allows for concatenation of data sources to provided more information from one location.

22. **Claim 17** is rejected for the following reasons:

17. The electronic device of claim 16, wherein the instructions further comprise: receiving a favored norm from one of the plurality of information suppliers(*The normalization of the data in the form of the original system see Dick, para 35 which normalizes this information*), wherein the one of the plurality of information suppliers is associated with a selected record in the first report(*It is Inherent that data is associated with the source from which it comes*); selecting a



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second subset of the plurality of characteristics from the plurality of records(*The second subset being the underlying record tunneled into see Machalek Para 43*) , wherein the selecting the second subset is based on the favored norm(*As Machelek teaches retrieving all the information, it is based on the favored norm of that record*); and creating a second report with the second subset (*Machalek Para 43*).

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the use multiple data sources as it allows for concatenation of data sources to provided more information from one location.

23. **Claim 18** is rejected for the following reasons:

18. The electronic device of claim 17, wherein the creating further comprises: ordering the second subset in the second report based on a relative significance in the favored norm (*the normalization of the data returned from the database is inherently ordered based on some relative significance in that normalization, for example, how they were stored in the database or how they were indexed*).

24. **Claim 19** is rejected for the following reasons:

See claim 15 rejection.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Machalek in view of Controlling Data Display with ORDER BY, known hereafter as Ashenfelter in further view of

US 2001/0053986, known hereafter as Dick in further view of “Default Value” known hereafter as Pearson.

25. **Claim 20** is rejected for the following reasons:

Machalek, Ashenfelter, and Dick teach the claim upon which claim 20 is dependant, but fail to teach a default value being defined in the model norm, this is taught in Pearson however. Which teaches defining default values for views(or models) of database tables. Thus, it would have been obvious to one of ordinary skill in the art to define default values in the normalization for a view, or model, as it make the “default value visible to (the) user in data entry forms.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cory C. Bell whose telephone number is (571) 272 2736. The examiner can normally be reached on m-f 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Charles Rones can be reached on (571) 272 4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature in black ink, appearing to read 'Sam Rimell', with a stylized, cursive script.

**SAM RIMELL**  
**PRIMARY EXAMINER**